

**IN THE DRAWINGS**

Formal drawings are supplied herewith.

### **REMARKS**

This responds to the Office Action mailed on May 10, 2005, and the references cited therewith.

Claims 1, 9, 15, 26, 41, 53 and 54 are amended, claims 8, 25, 28-40 and 52 are cancelled, and claims 55-63 are added; as a result, claims 1-7, 9-24, 26, 27, 41-51 and 53-63 are now pending in this application.

### **Drawings**

Formal drawings are submitted herewith, as requested.

### **New Claims**

Claims 55-63 are newly added. Applicant respectfully submits claims 55-63 are supported by the specification. Further, Applicant submits claims 55-63 are distinguishable over the cited references.

Consideration and allowance of claims 55-63 are respectfully requested.

### **§112 Rejection of the Claims**

Claims 31-35 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant has cancelled claims 31-35 without prejudice or disclaimer, and respectfully submits the rejections of claims 31-35 are thereby moot.

### **§102 Rejection of the Claims**

Claims 1-6, 8, 28-30, 38-41, 42, 47, 49 and 52 were rejected under 35 U.S.C. § 102(b) for anticipation by Bianco (US 6,394,867).

Applicant respectfully traverses the rejections of claims 1-6, 41, 42, 47 and 49 for at least the following reasons. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). Further, according to M.P.E.P. §2131, “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Moreover, “For a prior art reference to anticipate in

terms of 35 U.S.C. § 102, every element of the claimed invention must be *identically* shown in a single reference.” (Emphasis Added). *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990).

Applicant respectfully submits the rejections of amended claims 1-6, 41, 42, 47 and 49 are not supported because all of the elements are not identically shown in the cited reference. Applicant cannot find, for example, wherein the inflatable bladder includes an orifice sized and shaped to permit movement of a person through the inflatable bladder, as recited in claim 1 and generally shown in the specification, for example at page 10, lines 4-10. Further, Applicant cannot find, wherein at least a portion of the inflatable bladder envelops the gas canister and the opening mechanism, as recited in claim 1 and generally shown in the specification, for instance at page 6, lines 3-9. Claims 2-6 depend from claim 1 and thereby include all of its limitations. Moreover, Applicant cannot find, for example, providing an inflatable bladder having a substantially ring geometry including an orifice sized and shaped to permit movement of a person through the inflatable bladder, as recited in claim 41 and generally shown in the specification, for example at page 10, lines 4-10. Additionally, Applicant cannot find, enveloping the gas canister and the opening mechanism with the inflatable bladder, as recited in claim 41 and generally shown in the specification, for instance at page 6, lines 3-9. Claims 42, 47 and 49 depend from claim 41 and thereby include all of its limitations.

Further, Applicant traverses the Office Action statement at page 3, paragraph 6, “The inflatable bladder defines an orifice extending through the inflatable bladder.” Instead, Bianco states at 62-64, “A sheet of pliable waterproof material, sealed to the lower surfaces of the flotation bladders, forms a floor 9 within the raft.” As stated above, Applicant cannot find, wherein the inflatable bladder includes an orifice sized and shaped to permit movement of a person through the inflatable bladder, as recited in claim 1. Moreover, Applicant cannot find, providing an inflatable bladder having a substantially ring geometry including an orifice sized and shaped to permit movement of a person through the inflatable bladder, as recited in claim 41.

Reconsideration and allowance of claims 1-6, 41, 42, 47 and 49 are respectfully requested.

### §103 Rejection of the Claims

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco (‘867).

Applicant respectfully traverses the rejection and submits claim 7 is patentable at least as a dependent claim of patentable base claim 1, and the discussion for claim 1 above is repeated in support of claim 7.

Reconsideration and allowance of claim 7 are respectfully requested.

Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco ('867) in view of Williams (US 4,973,278).

Applicant respectfully traverses the rejections of claims 9 and 10 for at least the following reasons. Applicant can find no teaching or suggestion in the cited references of, for example, a web removably coupled to the inflatable bladder and extending across at least a portion of the orifice, as recited in claim 9. Claim 10 depends from claim 9 and thereby includes all of its limitations. Further, Applicant traverses the statements in the Office Action at page 4, paragraph 9, "Williams disclosed a similar inflatable bladder including a similar web provided in the area between the inflatable members. The web is removable . . . The use of a removable seat would have been desirable to facilitate the user to get inside the toroid inflatable bladder generally as taught by Williams." Applicant can find no support for these statements. Instead, Williams states at column 4, lines 10-15, "The seat attached to the bottom inside of the tube casing is shown as 35 attached to a three way buckle 24 which in turn can be joined to latch means such as canvas straps 25 and 26 to join the seat to the front of the tubing." Applicant respectfully submits the proposed combination does not appear to teach or suggest, a web removably coupled to the inflatable bladder and extending across at least a portion of the orifice, as recited in claim 9.

Further, the rejections are not supported because the Office Action does not identify a proper motivation to combine Bianco with Williams in the manner proposed. According to M.P.E.P. § 2143.01, the mere fact that references *can* be modified or combined does not render the resultant modification of combination obvious unless prior art also suggests (i.e. a prior art supported objective suggestion) the desirability of the modification or combination. See also *In Re San Su Lee*, 277 F.3d 1338 (CAFC 2002). Furthermore, according to M.P.E.P. § 2144, "the rationale to modify or combine the prior art . . . may be expressly or impliedly contained in the prior art or it may be *reasoned* from knowledge generally available to one of ordinary skill in the

art, established scientific principles or legal precedent.” (Emphasis Added). The Office Action states at page 4, paragraph 9, “In view of these disclosures it would have been obvious to one skilled in the art to provide the toroid inflatable bladder of Bianco with a removable web member generally as taught by Williams. The use of a removable seat would have been desirable to facilitate the user to get inside the toroid inflatable bladder generally as taught by Williams.” As stated above, no support for this statement is provided in the cited references. Therefore, Applicant submits no objective support appears to be provided for such a conclusion. Because the cited references, either alone or in combination, do not show every element of Applicant’s independent claims, a 35 USC § 103(a) rejection is not supported.

Additionally, Applicant respectfully submits claims 9 and 10 are patentable at least as dependent claims of patentable base claim 1, and the discussion for claim 1 above is repeated in support of claims 9 and 10.

Reconsideration and allowance of claims 9 and 10 are respectfully requested.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco (‘867) in view of Calkin (US 6,800,007).

Applicant respectfully traverses the rejection and submits claim 11 is patentable at least as a dependent claim of patentable base claim 1, and the discussion for claim 1 above is repeated in support of claim 11.

Reconsideration and allowance of claim 11 are respectfully requested.

Claims 12-21, 23-24, 36, 37, 43-45, 48, 50 and 51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco (‘867) in view of Burr (US 4,560,356).

#### *Claims 12-14*

Applicant respectfully traverses the rejections of claims 12-14 and respectfully submits that claims 12-14 are patentable at least as dependent claims of patentable base claim 1, and the discussion for claim 1 above is repeated in support of claims 12-14.

Reconsideration and allowance of claims 12-14 are respectfully requested.

*Claims 15-21, 23 and 24*

Applicant respectfully traverses the rejections of claims 15-21, 23 and 24. Applicant can find no teaching or suggestion in the cited references of, for example, a manual trigger coupled to the moveable pin and releasably retained along an exterior of the enclosure, wherein the manual trigger is operable to initiate inflation of the inflatable bladder, as recited in claim 15. Claims 16-21, 23 and 24 depend from claim 15 and thereby include all of its limitations.

Reconsideration and allowance of claims 15-21, 23 and 24 are respectfully requested.

*Claims 43-45, 48, 50 and 51*

Applicant respectfully traverses the rejections of claims 43-45, 48, 50 and 51 and respectfully submits that claims 43-45, 48, 50 and 51 are patentable at least as dependent claims of patentable base claim 41, and the discussion for claim 41 above is repeated in support of claims 43-45, 48, 50 and 51.

Reconsideration and allowance of claims 43-45, 48, 50 and 51 are respectfully requested.

Claims 22 and 46 rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco ('867) in view of Burr ('356) and Calkin ('007).

Applicant respectfully traverses the rejections of claims 22 and 46 and respectfully submits claims 22 and 46 are at least patentable as dependent claims of patentable base claims 15 and 41, respectively, and the discussion for claims 15 and 41 above is repeated in support of claims 22 and 46.

Reconsideration and allowance of claims 22 and 46 are respectfully requested.

Claims 26, 27, 53 and 54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bianco ('867) in view of Burr ('356) and Williams ('278).

Applicant respectfully traverses the rejections of claims 26, 27, 53 and 54. Applicant can not find in the cited references, for example, a web removably coupled to the inflatable bladder and extending across at least a portion of the orifice, as recited in claim 26. Claim 27 depends from claim 26 and thereby includes all of its limitations. Additionally, Applicant can not find in

the cited references, removably coupling a web across at least a portion of the orifice, as recited in claim 53. Claim 54 depends from claim 53 and thereby includes all of its limitations.

Further, Applicant traverses the statements in the Office Action at pages 5 and 6, paragraph 12, "Williams disclosed a similar inflatable bladder including a similar web provided in the area between the inflatable members. The web is removable . . . The use of a removable seat would have been desirable to facilitate the user to get inside the toroid inflatable bladder generally as taught by Williams." Applicant can find no support for these statements. Instead, Williams states at column 4, lines 10-15, "The seat attached to the bottom inside of the tube casing is shown as 35 attached to a three way buckle 24 which in turn can be joined to latch means such as canvas straps 25 and 26 to join the seat to the front of the tubing." Applicant respectfully submits the proposed combination does not appear to teach or suggest, a web removably coupled to the inflatable bladder and extending across at least a portion of the orifice, as recited in claim 9.

Further still, the rejections are not supported because the Office Action does not identify a proper motivation to combine Bianco and Burr with Williams in the manner proposed. The Office Action states at pages 5 and 6, paragraph 12, "In view of these disclosures it would have been obvious to one skilled in the art to provide the toroid inflatable bladder of Bianco with a removable web member generally as taught by Williams. The use of a removable seat would have been desirable to facilitate the user to get inside the toroid inflatable bladder generally as taught by Williams." As stated above, no support for this statement is provided in the cited references. Therefore, Applicant submits no objective support appears to be provided for such a conclusion. Because the cited references, either alone or in combination do not show every element of Applicant's independent claims, a 35 USC § 103(a) rejection is not supported by the references.

Additionally, Applicant respectfully submits claims 26 and 27, and 53 and 54 are at least patentable as dependent claims of patentable base claims 15 and 41, respectively, and the discussion for claims 15 and 41 above is repeated in support of claims 26, 27, 53 and 54.

Reconsideration and allowance of claims 26, 27, 53 and 54 are respectfully requested.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2117 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

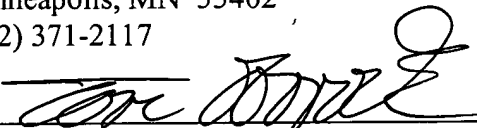
Respectfully submitted,

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Date 8/10/05

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of August, 2005.

LISA ROSORSKE

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